

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 1-20 were rejected. Claims 1, 3-4, 8, and 15-17 have been amended. No new matter has been added. Accordingly, Claims 1-20 remain pending in the present application.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claim Objections

On page 2, Claims 1-20 were objected to by the Examiner based on a number of informalities.

Claims 1, 3, 4, 8, 15, and 16 have been amended in accordance with the Examiner's suggestions. Claim 17 has also been amended to remove a redundant claim limitation. No new matter has been added. The Applicants submit that the objections to Claims 1-20 have been overcome, and respectfully request reconsideration and withdrawal of the objections.

Claim Rejections – 35 U.S.C. § 102(e) and § 103(a)

On page 3 of the Office Action, Claims 1-3, 6, 8-14, 16, and 18-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,660,633 to Lopatin et al.

On page 4 of the Office Action, Claims 4, 5, 7, 15, and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lopatin et al.

The Applicants respectfully traverse these rejections. Specifically, the Applicants submit that Lopatin et al. is not available as a prior art reference against the claims of the present application.

A Declaration by the inventors pursuant to 37 C.F.R. § 1.131 has been provided herewith, which provides evidence that the subject matter recited in Claims 1-20 was invented prior to the filing date of Lopatin et al. (February 26, 2002). Specifically, the

Declaration establishes that the subject matter recited in Claims 1-20 was conceived at least by August 21, 2001. Exhibit A attached to the Declaration is an invention disclosure form that includes drawings and statements establishing the invention of the subject matter recited in Claims 1-20 at least by August 21, 2001, which is before the February 26, 2002 filing date of Lopatin et al.

Accordingly, the rejections of Claims 1-20 should be withdrawn, because Lopatin et al. is not available as prior art against such claims.

Drawings

On page 2 of the Office Action, the drawings were objected to as failing to comply with 37 C.F.R. § 1.84(p)(5). Reference numeral 32 is now shown in Figures 4 and 5 and reference numerals 53, 54, and 56 are now shown in Figure 2. Accordingly, the Applicants submit that the objection to the drawings has been overcome.

New formal drawings 1-5 have been provided herewith to correspond to the language used in the present specification. Reference numeral 32 is now shown in Figures 4 and 5 and reference numerals 53, 54, and 56 are now shown in Figure 2. No new matter is added. For example, support for Figure 1 may be found at paragraphs [0022] and [0024]-[0025] on page 7 of the present Specification, support for Figure 2 may be found at paragraph 29 on page 8 through paragraph [0040] on page 11 of the present Specification, support for Figure 3 may be found at paragraphs [0040]-[0041] on page 11 of the present Specification, support for Figure 4 may be found at paragraph [0042] on page 11 through paragraph [0048] on page 13 of the present Specification, and support for Figure 5 may be found at paragraph [0049] on page 13 of the present Specification.

Consideration and entry of new formal drawings 1-5 is respectfully requested. A separate Transmittal of Formal Drawings is provided herewith.

* * *

It is submitted that each outstanding objection and rejection to the Application has been overcome, and that the Application is in a condition for allowance. Claims 1-20 will be

pending in this Application. The Applicants request consideration and allowance of all pending Claims 1-20.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date 8/25/2004

By 

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5564
Facsimile: (414) 297-4900

Marcus W. Sprow
Attorney for Applicants
Registration No. 48,580

Amendments to the Drawings:

Please substitute the attached 3 sheets (Figs. 1-5) of new formal drawings for the informal drawings originally filed with the application. A separate Transmittal of Formal Drawings is provided herewith.